

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

KIERAN RAVI BHATTACHARYA,)
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Plaintiff,)
)
)
v.) Civil Action No. 3:19-CV-54-NKM-JCH
)
)
)
JAMES B. MURRAY, JR., et al.,)
)
)
Defendants.)
)

**DEFENDANTS' MOTION TO FILE UNDER SEAL
MEMORANDUM IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AND
ACCOMPANYING EXHIBITS**

Defendants (except for Dr. Sara Rasmussen),¹ by and through their undersigned counsel, hereby move the Court to file their Memorandum in Support of their Motion for Summary Judgment (“Memorandum in Support”), and the accompanying Exhibits under seal pursuant to Local Rule 9 and the Stipulated Protective Order (ECF No. 150).

1. The Memorandum in Support and Exhibits contain discussion of and reference to Plaintiff’s sensitive health information protected by the Stipulated Protective Order (ECF No. 150) in this case. The discussion of Plaintiff’s health information is necessary to explain Defendants’ positions regarding their Memorandum in Support.

¹ All references in this Motion are to all Defendants except for Dr. Sara Rasmussen.

2. The Memorandum in Support and Exhibits also reference or include the education records of Plaintiff as well as other students, which are subject to the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, 34 C.F.R. pt. 99.
3. In accordance with the Stipulated Protective Order (ECF No. 150), Defendants would like to honor the designation of records referenced and information discussed in the Defendants' Memorandum in Support and Exhibits containing highly sensitive health information as well as Plaintiff's and other students' education records. Accordingly, Defendants move to file their Memorandum in Support and Exhibits under seal.

For these aforementioned reasons, Defendants respectfully request that the Court grant this Motion, enter the Order, included as Exhibit A, and allow Defendants to file the Memorandum in Support and Exhibits under seal.

Dated: June 14, 2022

Respectfully submitted,

/s/ Farnaz F. Thompson

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CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system and that a notice of electronic filing will be delivered via the CM/ECF system to all counsel of record.

/s/ Farnaz F. Thompson
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